P.F. 8895

G. R. S. IX-5]

*Previous references.* 1894-95

**192**

( L.R. )

*Later references.*

**File No.** 113 of 94

**Serial Nos.** 1-5

# GENERAL AND REVENUE SECRETARIAT.

*Serial Nos.* 1-5

Major ~~Part~~ B for July 1895

SUBJECT.

Grant of Gomal land without sale, Sambe village, Mudagere Taluk

WD 2233—GPE—20,000—14-6-20

Indexed

Rev. Branch

Please put up a copy of the Proceed to by Petr in his appeal petn

Pro seeds to be the Petr not forthcoming - The available seeds put up

15/4/95

L.R. 113-94

Submitted to Rev Councillor in time
Stamp Sufficient

17/4

Confirm the order
Compensation
withheld
18/4/95

Proceed
SUR 20/4

Gen. Serial No. 32.]

1895

No. 2273

Name of Petitioner. Venkappa Gowda

Village. Kadepal of Samse village

Taluk. Mudigere

District. Kadur

Date of Arzi. 4-3-95

Date of Receipt. 8-3-95

Date of Disposal.

No. of Enclosures. 1

ABSTRACT.

States that Survey No. 147 of Samse village had been in his enjoyment for the last 35 or 36 years - that he has his house, cattle-shed and manure pit on it - that there are on it fruit and coffee trees planted on by his father - that he does not know how the said land was treated during Survey - that during the Lahani held two years ago the Shanbogue entered the land as fudge in the Tabbar list and submitted it to the Amildar during his Jamabandi - that in the Enquiry held by the above officer he proved that he had improved the land which had been in their holding from the time of his ancestors - that thereupon the Dy. Comr. informed him that he could not be granted a portion of it and that 5 acres would be given to him if he pays for it

16/4/95

6 Rs. 60/- per acre - that consequently he
paid Rs. 50/- to the Taluk office, but that
instead of the land being granted to him he
was given the following endorsement - No 249 of 8-2-95

It having been entered in the Tabrar list
for Vijaya that you had unauthorizedly
cultivated some portion of Survey No. 147
order had been made that including the
portion you had unauthorizedly cultivated
you might be granted 5 acres. On receiving
the upset price from you therefor - ac-
-cordingly the 50 Rs. you paid were placed
in deposit and an Ittella was submitted
to Bangalore with the records - In reply the Commr
No. 712 of 15-1-9 has been received to the following effect -

Since it is expressly stated in the present
orders of Govt. that lands unauthorizedly cultivated
should be taken up to Govt the order passed
on 10-2-94, directing the grant of 5 acres of land
without sale is cancelled - The amount
received from Venkappa for the said land
should be returned to him - There is no
objection to Venkappa applying for 5 acres,
including the portion which had been unauthorizedly
cultivated, and obtaining it in public sale. If
he submits the application it should be submitted
with the formal list after holding necessary enquiry -
The — produce will have to be sold from
the following year -

You are in pursuance of the said order directed
to appear in the office immediately and take back the
sum of Rs. 50/- paid by you on 12-2-94. Know that
if you are in need of the land you should submit
the application according to rules -

Petition No 2273 of 94-95

Petitioner
Venkappa Gowda
of Samse village
Mudagere Taluk

Appeal against the order of the Deputy Commr of Kadur declining to grant to Petitioner 5 acres of Coffee land without auction.

List of papers

(1) Deputy Commr's report
(2) Appeal petition with abstract
(3) Amildar's endorsement
(4) Sketch
(5) Official Memorandum
~~(6) Copy of Govt Orders No 13450-2 R.7.261-92 of 31.1.93~~
~~(7) Do do 16919-27 R. 1699 of 6.4.94.~~

Confirm Govt order
Grants for 5 years -
2.12.95

Pet
1482

(2)

5

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT. (5)

OFFICIAL MEMORANDUM.

The accompanying Petition No. 227 dated 4.3.95 received at the Dewan's Office from Venkappa Gowda of Kasepal Mudigere Taluk, praying that under the circumstances represented, Survey No. 147 in Sanpur village may be granted to him without sale is forwarded, together with its one enclosures, to the Dy. Commr. Kadur District for submission of the entire records connected with the case together with a report of the facts the reason the points urged in the petition.

2. The petition with its enclosures should be returned.

L. R. 113-94-2

By Order,

Draft
22/4/95
Chief Secretary

BANGALORE, 25/4 1895 ~~1889~~.

Recorder SLR

M.G.C.P.B.—19-2-95—1000.

20/4

4

The petitioner represents that the land
were sold to enemies years ago and
been and represents that the land
by he would lose about Rs. 100 an
month. His house is in ruins
are 20 coffee trees. Prays
stating that he is willing to pay
for the land
Rs. 21-10 per acre and also the
land again for the last four years
@ as. 8 per acre. Prays that the
Dy. Comr. may be directed to grant
the land to him without sale.

8/3.

4

6

(8)

Gen. Serial No. 31.]

1895

OFFICE OF THE DEWAN OF MYSORE
16738
5 - JUN. 1895

From

The Deputy Commissioner
Kadur District

To

Chief
The Secretary to the Government
~~Dewan~~ of Mysore.

Dated 1st June 1895

Despatched 4th

Received

Enclosures—No. 2 & 1 Ex: file

General No. 764 } 1894-95
~~No.~~

Relating to the petition of the Lenkalla Gowda of Kadejal, Kanjur village, Mudigere Taluk praying for the grant of a portion of gomal survey No. 47 of the same village without sale.

Copy to the Commissioner

C.C.

Post pone 6 months

7/6/95

From date separate noted L.R. 113-94-3

Copy to Chief Commissioner

Deputy Commissioners Office
Kadur District
Chikmagalur 1st June, 1895

From

The Deputy Commissioner
Kadur District

To

The Chief Secretary to the
Government of Mysore

Sir,

In reply to your memo No $\frac{Rev}{1482}$ dated $\frac{18}{25}\frac{5}{}$ - April last, forwarding for report a petition from one Venkayya Gowda of Kadehai, praying that a portion of Survey No. 47 in the Sarvé village, Mudgere Taluk, may be granted to him without sale, I have the honor to state as follows:-

<u>I Facts of the case.</u> — 1 In the Sarvar list for the year 1893-94, it was brought to my notice that the appellant Venkayya Gowda, who cultivates Survey No 205 (20 acres at net rates) in the Khata of Verdia Heggade, a minor, had, prior to the Survey settlement, his house, sheds (Kottiges) and drying ground and planted 30 plantain trees and 1 or 15 coffee

plants close to his house on a portion of the adjoining gomal survey no. 147 measuring 1935-37 acres, and that he encroached upon about 15 guntas of the said gomal land and put in 15 arecanut trees, jack trees and 220 coffee plants out of which only about 120 plants yielded coffee crop. The appellant admitted his action which he said was done by mistake.

2. The Amildar inspected the land and reported that the above encroachment was true, and that the houses said to have been in existence from prior to the Survey Settlement were no change in the survey map, and recommended the grant of 5 acres to the appellant, owner of wet field no. 38.

3. On 10th February '80, when dealt the Janabanai of the Mudgere Taluk, I passed the following order:—

> 'This is apparently of long standing as the age of trees show, and which the Amildar, who has inspected it, reports as 5 years old.

"resumed to Government the above orders must be cancelled and the land resumed to Government. The amount, if any, received should be refunded. Venkappa Gowda may apply for 5 acres of land including the unauthorisedly occupied portion and obtain it in auction."

Hence the appeal.

II Points taken the petition — 6. They are just the same as above, but the appellant prays that he may be allowed to have the land of 5 acres on his paying the upset price at Rs 10/- per acre, and also back assessment at 8 annas per acre for the last 4 years. As the land in question is an undoubted encroachment and which the petitioner admits, I am of opinion that it should be treated as such and the recent Government orders carried out.

7. The appeal petition with its

U

enclosure is herewith returned with Vernacular proceedings ending with Mudgene Amildar's report no 1191 dated 3rd May 1895.

I have the honor to be
Sir
your most obedt Servant

Alt Parke
Deputy Commissioner
Kadur District

A.M.S.

As this has apparently been cultivated by mistake, the present holder should apply for 5 acres of land including the piece and which may be granted to him at an upset price of Rs. 10/- per acre."

4. Both the appellant Venkatarayudu and the guardian of the minor Veeda Reggadi, who owns wet lands in Sy. 5 in his Khata and cultivated by the appellant, apparently as Madin Tenant, having agreed to secure the 5 acres, the appellant put in a formal application for 5 acres and viewed Rs 10/- being the upset price for the 5 acres above alluded to to the Tahsildar, for which papers on the subject were again received for my orders.

5. On 15th January 1909, I passed the following order:—

As Government orders are imperative that all unauthorised cultivated lands should be

ONE RUPEE

ONE RUPEE

(2)

PETITION DEPARTMENT
REG'D. NO.
DATE

[illegible]

[illegible]

18 Draft not for approval

(5) Proceedings of the Govt of Mysore.

Read:-

(1) Petition No. 2273, dated 4th March 1895, presented by Venkappa Gowda of Sanse village, Mudagere Taluk, appealing against the order of the Dy Commr of Kadur directing that the land on which the Petitioner's house, sheds, and drying ground stand, be resumed to Govt and sold by public auction.

L.R. 113-94-h

(2) Letter No. 764 dated 1st June 1895, from the Dy C of Kadur, reporting on the above; and the proceedings received therewith.

Order thereon. No. 316 / P.7.8-95 & 6.7.95

The Petitioner was found to have unauthorizedly built his house and shed and planted a few coffee plants,

on

on a portion of the fomal land, Survey No. 147, adjacent to his Survey No. 208 cultivated by him. The Dy Comr held that this unauthorized occupation, reported to have been made prior to the Survey Settlement, was due to mistake, and ordered that 5 acres out of the fomal land, the extent of which is 1933 - 37 ac. 1 p., be, if applied for by Petitioner, granted to him for an upset price at Rs 10/ per acre; but on reconsideration he ordered the resumption of the land having regard to the orders of Govt in respect of unauthorized occupation.

As the unauthorized occupation in this case was due to mistake and allowed unnoticed for several years, the Govt are pleased to condone it and to authorize the Dy Commissioner to give effect to his first order, subject to the Petitioner's

paying

(41)

ನಂಬರ್
2273

L.R. 113-94-15

ಶ್ರೀ ಮಾರುದಿವಾನ್ ಕೆ ಬೇಕಾಯಿದೆ

ಮುಡಗೆರೆ ತಾಲ್ಲೂಕು ಸಂಸೆಗ್ರಾಮದಲ್ಲಿರುವ ಕೆಡಿಪೊಲು ವೆ.
ಪ್ರಗಾಡಪ್ಪನ ಇಂಡಾಸ್ಟ್ ಶ್ರೀಯುತ -

ಅರ್ಜಿದಾರನ ಮನೆ ಕೊಟ್ಟಿಗೆಗಳು ವಗೈರೆ ಇರುವ ಜಮೀ
ನನ್ನು ಪಾಕಾರ್ತಿ ಕ್ರಯಕ್ಕೆ ಕೊಂಡು ಪಾರ್ಜ್ ಮಂಡಿಸಿಕೊಂಡು
ಕೆಡುಲು ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಡಿಪುಟಿಕಮಿಷನರ್ ಮುಂದಿದ್ದ
ತ್ಯಮಿನ ಮೇಲೆ ಅರ್ಜಿದಾರ ಬರೆದುಕೊಂಡ 4-3-95ನೆ
ಕಾಗದಿನ ಅಪೀಲ್ ಅರ್ಜಿ ಶ್ರೀಯುತದಾಯಿತು

ಸರ್ವೆ 147ನೆ ನಂಬರು ಕೊಮ್ಮಳ್ಳಿ ಸ್ಕೀಂದ ಪದಾರ್ಥ
ನನ್ನು ಶ್ರೀಯುತ ಅನಧಿಕೃತವಾಗಿ ಸೆಪಿಕ್ರಿನತ್ತೆ ತೆಗೆದುಕೊಂಡು ಆರ್ಕಿ
ಉಪಯೋಗಿಸಿದ್ದು ಸರಿಯಿಲ್ಲ. ಆದರೆ ಅರ್ಜಿದಾರನು ತಪ್ಪುತಿ
ಳ್ಳಿಕೆಯಿಂದ ಆರ್ಕಿತಿಮಾಡಿದನೆಂದು ಡೆಪ್ಯುಟಿಕಮಿಷನರ್
ರಿಪೋರ್ಟಿನಿಂದ ತಿಳಿದುಬಂದಿದ್ದರಿಂದ ಅರ್ಜಿದಾರನ ತಪ್ಪು
ವನ್ನು ಮಾಫ್ ಮಾಡಿ ಅವರ ಮೇಲೆ ಶ್ರೀಯುತನು ರೂ 10 ಪೆನಾಲ್ಟಿ
ತೆಗೆದುಕೊಂಡು ಕ್ರಯದಿಯಬೇಕು ಮತ್ತು ಅವರು
ತಾಲ್ಲೂಕುವಿನ ದೇಶದ ಪ್ರಕಾರ ಇಂದಿನ ವಿದುವಷ್ಟದ ತಿಂ

ಸಾಯವನ್ನು ಅರ್ಜಿದಾರರಿಂದ ವಸೂಲಿ ಮಾಡಿ ಅವರಿಗೆ
ಮೇಲ್ಕಂಡ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಇರುವ ಜಮೀನನ್ನು ಕೊಡಲು
ಐದು ವರ್ಷಗಳ ಜಮೀನನ್ನು ಕೊಂಡು ಉಳುವಂತೆ ಪ್ರೋತ್ಸಾಹಿಸಿ
ಪ್ರಯೋಜನವಾಗುವಂತೆ ಉಪಯೋಗಿಸುವುದು - ಅರ್ಜಿ ಮಂಜೂರು ಮಾಡಿದೆ -

ಬೆಂಗಳೂರು 1-7-95.

By order

Draft. [illegible] 1/8.

Revenue Secretary

20 - ರಂದಿಗೆ
6-8-95

17 18

paying, in addition to upset price as above, arrears of Kandayam for five years at such rate as the Commissioner may fix

Dft

6/7

Rev. Secretary

6.7.95

To

The Deputy Commr., Madura District,

6.7.95

5/7